



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2301762
Applicant Name: Julie LeDoux for Soleil Development, LLC.
Address of Proposal: 5629 40th Ave. NE

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are: Parcel A) 3,773.9 square feet; and Parcel B) 3,775.6 square feet. Existing single family residence to remain on proposed Parcel A. Existing detached garage to be removed.

The following approval is required:

Short Subdivision – to create two parcels of land (SMC Chapter 23.24).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading,
or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Zoning: SF 5000

Date of Site Visit: May 7, 2003

Uses on Site: Single Family

Substantive Site Characteristics: The subject site is gradually sloped with a retaining wall along the north side below NE 57th Street. No ECAs.

Public Comment

The public comment period ended May 14, 2003. One written comment was received raising concerns about providing adequate off-street parking on the subject properties.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following **applicable** facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DCLU, Water (SWD), Fire Departments (SFD), Seattle City Light, and Parks and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions set forth in the Land Use Code, and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable. The proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval, and any necessary fees.
3. Show the new established parking space (project #2304321) on Parcel A on the final recording documents.
4. Insert the following on the face of the plat: "Any tree removal or replacement is subject to the requirements of Seattle Municipal Code 23.44.008."
5. Record the side yard easement agreement and include the recording number in the legal descriptions.
6. Add the conditions of approval to the face of the plat.

Prior to the Individual Transfer or Sale of Lots

1. Legally demolish or remove the existing garage on Parcel B prior to sale, purchase, or other ownership transfer of any of the parcels.

After Recording and Prior to Issuance of a Building Permit on Parcel B

The owner(s) and/or responsible party(s) shall:

1. Attach a copy of recorded short subdivision to all copies of future building permit application plans.
2. Due to the possibility of peat and other unsuitable soils, a geotechnical report prior to issuance of a building permit for a new structure on Parcel B is required.

Signature: (signature on file) Date: July 24, 2003
Marie N. Kanikkeberg, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services